

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
January 11, 2007

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").
- II. **SUBJECT:** Administrative and Consent Orders issued during the period November 1 – November 30, 2006.
- III. **FACTS:** For the period November 1, 2006 through November 30, 2006 EQC issued nineteen (19) Consent Orders with total assessed civil penalties in the amount of \$80,440.00.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
Hazardous Waste	0	\$ 0	0	\$ 0
Solid Waste	0	0	3	7,000.00
UST Program	0	0	0	0
Radiological Waste	0	0	1	1,000.00
SUBTOTAL	0	0	4	\$ 8,000.00
Water				
Drinking Water	0	\$ 0	4	\$ 2,440.00
Water Pollution*	0	\$ 0	7	51,000.00
SUBTOTAL	0	\$ 0	11	\$ 53,440.00
Air Quality				
SUBTOTAL	0	\$ 0	4	\$ 19,000.00
TOTAL	0	\$ 0	19	\$ 80,440.00

*During the reporting period, Drinking Water Enforcement and Water Pollution Enforcement issued two (2) Joint Consent Orders. Water Pollution Enforcement was credited with the Joint Orders.

ANALYSIS: During the reporting period, Solid Waste Enforcement entered into two (2) Consent Orders with Respondent, LCR Construction, Inc. for the Shorts Landing Road Site and the Joe Frasier Road Site. The Respondent operated an unpermitted construction, demolition and land-clearing debris landfill at both Sites. The Order for the Shorts Landing

Road Site requires the Respondent to properly close the Shorts Landing Road Site by covering the land-clearing debris with two feet of soil, grading and seeding of the Site and a disposal notation must be made on the deed. At the Joe Frasier Road Site, the Respondent must remove the land-clearing debris for proper disposal. A civil penalty in the amount of three thousand five hundred dollars (\$3,500.00) was assessed for each Site.

Water Pollution Enforcement entered into a Consent Order with Respondent, Berkeley County Water and Sanitation Authority. The Respondent is responsible for the proper operation and maintenance of the Lower Berkeley Wastewater Treatment Facility (WWTF). The Respondent violated the Pollution Control Act for exceedances of the permitted discharge limits for fecal coliform bacteria. The Order requires the Respondent to submit a corrective action plan addressing the compliance issues with fecal limits and to submit an implementation schedule for the corrective action plan. The Respondent had installed an ultraviolet light disinfection system and attributed the violations to a malfunction in the system. A civil penalty in the amount of twelve thousand eight hundred dollars (\$12,800.00) was assessed.

Bureau of Air Quality Enforcement entered into a Consent Order with Carben Asphalt, Inc. (Respondent) for violations of the South Carolina Air Pollution Control Regulations. Violations include failure to conduct a source test on the asphalt dryer for particulate matter emissions no later than 180 days after startup; failure to maintain records of the sulfur content of the fuel oil used in the asphalt plant; and failure to document daily visual inspections. The Respondent has agreed to maintain and submit quarterly reports of asphalt production and to document and maintain all records required by its permits. A civil penalty in the amount of seven thousand dollars (\$7,000.00) was assessed and has been paid in full.

Of the nineteen (19) Consent Orders issued by EQC enforcement programs during the reporting period, (19) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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Environmental Quality Control